

Have had the same under consideration and I am instructed to report same back to the Senate with recommendation that it do pass.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 19, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 414, A bill to be entitled "An Act repealing Chapter 1, of the Special Laws of the First Called Session of the Thirty-ninth Legislature, the same being an Act relating to Common School Districts Nos. 1, 2 and 4 of Starr County, Texas, and Rio Grande City Independent School District in Starr County, Texas and also relating to Rio Grande City Consolidated Independent School District in Starr County, Texas, and declaring an emergency."

Have had same under consideration and I am instructed to report same back to the Senate with recommendation that it do pass.

WITT, Chairman.

TWENTY-SEVENTH DAY.

Senate Chamber,
Austin, Texas.

Monday, February 21, 1927.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Greer.	Russek.
Hall.	Stuart.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Wirtz.
McFarlane.	Witt.
Moore.	Wood.
Neal.	Woodward.

Absent.

Floyd.	Smith.
Holbrook.	Westbrook.
Miller.	

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Berkeley:

S. B. No. 418, A bill to be entitled "An Act to authorize every person, firm, corporation, limited partnership, joint stock association or other association operating or constructing aerial or other kind of tramways between mines and railways and smelters to acquire rights-of-way by condemnation, declaring same to be common carriers, placing them under the jurisdiction of the Railroad Commission, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Love:

S. B. No. 419, A bill to be entitled "An Act providing that freight charges on carloads of coal delivered at any point within the State of Texas, where railroad track weighing scales are owned, or used or maintained at the point of delivery, or in the line of transit, shall be based upon the actual weight of said coal; prescribing the manner of weighing such coal; prescribing that certificates of such weights shall be given, and that no freight charges on said coal shall be due or payable until such certificates are given; providing a penalty for violation of any provision of this Act, repealing all laws and parts of laws in conflict herewith and declaring an emergency."

Read first time and referred to Committee on State Affairs.

Simple Resolution No. 63.

Senator Bailey sent up the following resolution:

By Senators Bailey, Real, Hall:

Whereas, those beautiful oil paintings by H. A. McArdle, deceased, commemorative of and portraying historical events and memories dear to the hearts of all Texans, entitled "Dawn at the Alamo" and "The Battle of San Jacinto" now hanging up-

on and adorning the walls of the Senate Chamber, are the property of and form a part of the assets of the Estate of the late H. A. McArdle, deceased, and are hanging in the Senate Chamber premissively, and the State of Texas has no claim on or title to the same, and

Whereas, it is the consensus of opinion of the Senate of Texas, speaking in such behalf for the people of Texas, that the State should own said paintings, if they can be purchased at satisfactory figures and on satisfactory terms and conditions,

Therefore, be it resolved by the Senate of Texas that a committee of three Senators be appointed by the Lieutenant Governor to ascertain who are the heirs, legatees or other legal representatives of the Estate of the said H. A. McArdle, deceased, and in whom legal title to such paintings is vested, and upon what terms said paintings can be purchased by the State, and they shall make report of their actions in such behalf to the next session of the Legislature.

The resolution was read and adopted.

Committee Appointed.

The Chair appointed the following committee under the resolution:

BAILEY,
REAL,
HALL.

Simple Resolution No. 61.

Senator Greer called up the following resolution:

S. C. R. No. 61, providing for an investigation of the free text book situation in Texas.

The resolution was laid on the table subject to call.

S. C. R. No. 22.

Senator Parr sent up the following resolution:

Resolved by the Senate the House of Representatives concurring, that Senate Bill No. 223 be recalled from the Governor for correction; that the President of the Senate and Speaker of the House be instructed to erase their names from the bill, and that it be laid on the table subject to call.

The resolution was read and adopted.

S. C. R. No. 23.

Senator Holbrook sent up the following resolution:

Whereas, Senate Bill No. 60 has passed the Senate and the House and is now on the Governor's desk for consideration, and

Whereas, it appears that there are some errors in the bill which might render it unconstitutional,

Therefore be it resolved by the Senate, the House concurring, that Senate Bill No. 60 be recalled from the Governor's desk and delivered to the Senate for correction and that the name of the President of the Senate and Speaker of the House be erased from the bill.

The resolution was read and adopted.

S. C. R. No. 24.

Senator Holbrook sent up the following resolution:

Whereas, Senate Bill No. 60 has passed the Senate and the House and is now on the Governor's desk for consideration, and

Whereas, it is the sense of this Legislature that Inheritance Taxes should not be collected from estates descending in the manner stated in the bill,

Therefore be it resolved by the Senate, the House concurring, that it is the policy of the Legislature in adopting this bill to relieve all estates descending to educational, charitable and religious institutions and such other institutions and beneficiaries as are set out in the bill, from payment of State Inheritance Taxes.

The resolution was read and laid on the table subject to call.

S. C. R. No. 18.

Senator Stuart called up from the table the following resolution:

S. C. R. No. 18, providing for a constitutional convention to rewrite the Constitution of Texas.

Senator Bailey made the point of order that a resolution on the same subject had been defeated in the Senate at this Session.

The point of order was overruled.

The resolution was adopted by the following vote:

Yeas—18.

Berkeley.
Bledsoe.

Price.
Bowers.

Hall.	Reid.
Holbrook.	Stuart.
Lewis.	Ward.
Love.	Witt.
Moore.	Wood.
Neal.	Woodward.
Real.	

Nays—7.

Bailey.	Parr.
Fairchild.	Pollard.
Greer.	Russek.
Hardin.	Wirtz.
McFarlane.	

Absent.

Floyd.	Triplett.
Miller.	Westbrook.
Smith.	

House Bill No. 37.

On the motion of Senator
H. B. No. 37 was recommended to
the Committee on Civil Jurispru-
dence.

Message from the House.

The Chair recognized the Door-
keeper, who introduced a Messenger
from the House with the following
message:

Hall of the House of Representatives,
Austin, Texas, Feb. 21, 1927.
Hon. Barry Miller, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that the House
has passed the following resolution:

H. J. R. No. 15. Proposing an
amendment to Section 51, Article 3,
of the Constitution, authorizing a tax
levy for Confederate Soldiers, Sailors
and their widows.

H. C. R. No. 23. Relating to S.
B. No. 60.

House Bill Referred.

After its caption was read the
Chair referred H. J. R. No. 15 to the
Committee on Constitutional Amend-
ments.

House Bill No. 140.

After its caption was read the
Chair signed in the presence of the
Senate H. B. No. 140.

Senate Bill No. 21.

The Chair laid before the Senate
as special order the following bill:

S. B. No. 21, A bill to be entitled
"An Act to repeal Chapter 49 of the
Acts of the Thirty-ninth Legislature
of 1925 of the State of Texas now

Article 787A of the Code of Criminal
Procedure of 1925 relating to the
exclusion of evidence obtained in vio-
lation of the Constitution and laws
of the State of Texas or the United
States of America and declaring an
emergency."

The bill was read second time.

The majority report was unfavor-
able.

Senator Woodward moved that the
minority report that the bill do pass
be adopted.

Adjournment.

On the motion of Senator Wood,
the Senate, at 12:00 m., adjourned
until Wednesday morning at 10:00
o'clock a. m.

APPENDIX.

Petitions and Memorials.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, Feb. 21, 1927.

Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on
Engrossed Bills, have had S. C. R.
No. 17 carefully examined and com-
pared, and find the same correctly
engrossed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 19, 1927.

Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on
Engrossed Bills, have had S. J. R.
No. 15 carefully examined and com-
pared, and find the same correctly
engrossed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1927.

Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on
Engrossed Bills, have had S. B. No.
12 carefully examined and compared,
and find the same correctly en-
grossed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1927.

Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on
Engrossed Bills, have had S. B. No.
106 carefully examined and com-

pared, and find the same correctly engrossed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 144 carefully examined and compared, and find the same correctly engrossed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 158 carefully examined and compared, and find the same correctly engrossed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 179 carefully examined and compared, and find the same correctly engrossed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 187 carefully examined and compared, and find the same correctly engrossed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 202 carefully examined and compared, and find the same correctly engrossed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No.

206 carefully examined and compared, and find the same correctly engrossed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 232 carefully examined and compared, and find the same correctly engrossed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 245 carefully examined and compared, and find the same correctly engrossed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 243 carefully examined and compared, and find the same correctly engrossed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 275 carefully examined and compared, and find the same correctly engrossed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 276 carefully examined and compared, and find the same correctly engrossed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 311 carefully examined and compared, and find the same correctly engrossed.

MOORE, Chairman.

Committee Room,
Austin, Texas, Feb. 21, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 326 carefully examined and compared, and find the same correctly engrossed.

MOORE, Chairman.

Committee Room,
Austin, Texas, Feb. 21, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 332 carefully examined and compared, and find the same correctly engrossed.

MOORE, Chairman.

Committee Room,
Austin, Texas, Feb. 21, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 361 carefully examined and compared, and find the same correctly engrossed.

MOORE, Chairman.

Committee Room,
Austin, Texas, Feb. 21, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 368 carefully examined and compared, and find the same correctly engrossed.

MOORE, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, Feb. 21, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 254, A bill to be entitled "An Act to relieve the Board of Regents of the University of Texas, and the executor, devisees and estate of W. J. McDonald, deceased, from the payment of and liability for inheri-

tance taxes with respect to the W. J. McDonald Observatory Fund bequeathed by the will of said McDonald to such regents as trustees."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,
Austin, Texas, Feb. 21, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 398, A bill to be entitled "An Act to amend Article 816, Chapter 1, Title 39, Revised Civil Statutes, 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 329, A bill to be entitled "An Act granting permission to Cleo Fletcher to bring suit against the State of Texas, in the district court of Coryell County, Texas, or McLennan County, Texas, for injuries received and the loss of a leg while attending the State Juvenile Training School at Gatesville, Texas, prescribing the rule of procedure, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

(Majority Report.)

Committee Room,
Austin, Texas, Feb. 19, 1927.
Sir: We, a majority of your Committee on State Affairs, to whom was referred

S. B. No. 334, a bill to be entitled "An Act regulating the practice of public shorthand reporting, creating an examining board, defining its powers, providing for fees and their disbursement, and for examinations, prescribing when examinations shall be waived; prescribing qualifications of official shorthand reporters, providing for removal, etc., prescribing

when transcript of testimony shall be competent evidence; and providing penalty for violations of this Act with a repealing clause."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

WIRTZ, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, Feb. 19, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, a minority of your Committee on State Affairs, to whom was referred

S. B. No. 334, a bill to be entitled "An Act regulating the practice of public shorthand reporting, creating an examining board, defining its powers, providing for fees and their disbursement, and for examinations, prescribing when examinations shall be waived; prescribing qualifications of official shorthand reporters, providing for removal, etc., prescribing when transcript of testimony shall be competent evidence; and providing penalty for violations of this Act with a repealing clause."

Beg to differ with a majority of your Committee, and report the same back to the Senate with the recommendation that it do pass with the following committee amendment:

Amend S. B. No. 334 by striking out all of Sections 6 and 7, and renumbering the succeeding sections accordingly.

WOOD.
WITT

Committee Room,
Austin, Texas, Feb. 21, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 336, A bill to be entitled "An Act to amend Article 5160, of the Civil Statutes of the State of Texas, Revision of 1925, requiring any person or persons, firm or corporation, entering into a formal contract with the State or its Counties or subdivisions thereof, or any municipality therein for the construction of any public building or public work, to execute bonds with sureties, with obligation that contractors shall pay laborers and those furnishing mater-

ials for such buildings and public works; and providing more particularly what debts shall be secured by said bonds, and providing for filing such claims, under oath, with the contractor or with the county clerk, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass with the following committee amendment:

Amend S. B. No. 336 by striking out of Section 1, the last sentence beginning with the word "provided," line 34, page 1, and ending with the word "bond," line 8, page 2, and in lieu thereof insert the following:

"Provided, further, that no person, firm or corporation, shall be secured in the payment of any claim contracted prior to the execution of the contract that said bond is given to secure unless such claim is for material or labor which has actually been used in the prosecution of the work provided for in said contract; and providing further, that all claims for labor or material shall be itemized and sworn to by the claimant, or his authorized agent, and filed with the contractor or with the county clerk of the county in which said work is being prosecuted, within 30 days from the date that said claim accrued from such date shall not be payable under said bond until all other claims filed within said time shall have been paid.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, Feb. 19, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 335, A bill to be entitled "An Act creating a State Bureau of Criminal Identification and Investigation; providing for its organization, defining its powers and duties and making an appropriation to carry out the provisions thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass, but that the committee substitute bill, hereto attached, do pass in lieu thereof.

WIRTZ, Chairman.

A BILL
To Be Entitled

An Act creating a State Bureau of Criminal Identification and Investigation; providing for its organization, defining its powers and duties and making an appropriation to carry out the provisions hereof.

Be it enacted by the Legislature of the State of Texas:

Section 1. There is hereby created a State Bureau of Criminal Identification and Investigation.

Sec. 2. Within ten days after this Act goes into effect it shall be the duty of the Governor to appoint an advisory board of said Bureau consisting of five members whose duty it shall be to aid and advise the Adjutant General of the State of Texas in the organization of said Bureau and whose terms of office shall be for a period of one year after the date of appointment, one of whom shall be a Bertillon expert employed by an incorporated city within the State of Texas, one of whom shall be a chief of police of an incorporated city within the State of Texas, one of whom shall be a chief of detectives of an incorporated city within the State of Texas, one of whom shall be a duly elected, qualified and acting sheriff of a county within the State of Texas, and one of whom shall be a duly elected, qualified and acting county or district attorney of a county within said State.

Sec. 3. It shall be the duty of the Adjutant General of the State of Texas within ten days after the appointment of the advisory board to take absolute control and management of said Bureau and to make and adopt rules for the proper conduct of said Bureau. He is hereby empowered to employ such clerical force as he may deem necessary to carry out the provisions of this Act.

Sec. 4. The Governor shall appoint a superintendent and an assistant superintendent upon the recommendation of the Adjutant General and advisory board. The superintendent and assistant superintendent shall be recognized identification experts and well qualified for their respective offices, and each shall have had at least two years' experience in a modern bureau of criminal identification, either Federal, State, or city, within the past five years.

Sec. 5. The Adjutant General, through the Board of Control, will provide equipment for said Bureau with necessary furniture, fixtures, apparatus, appurtenances, appliances and materials as are necessary for the collection, filing, indexing and preservation of all criminal records, both as far as such can be procured, all of criminals, and lost, stolen, found, pledges, or pawned property.

Sec. 6. It shall be the duty of the Adjutant General to procure and file for record and report in the Bureau, as far as such can be procured, all plates, photos, outline pictures, information, finger-prints, and measurements of all persons who have been or shall thereafter be convicted of a felony or imprisoned for violation of any of the military, naval, or criminal laws of the United States of America, and of all well known and habitual criminals from wherever procurable.

Sec. 7. It shall be the duty of the Adjutant General to file or cause to be filed all plates, photographs, outline pictures, measurements, information, finger-prints, and descriptions, which shall be received by virtue of its office and it shall make a complete and systematic record and index of same providing thereby a method of convenience, consultation, and comparison. It shall be the duty of the Adjutant General to furnish, upon application, all information pertaining to the identification of any such person or persons, a plate, photograph, outline picture, description, or any data of which person there is a record in its office.

Such information shall be furnished to the United States officers, or officers of other states, territories or possessions of the United States, or peace officers of other countries duly authorized to receive same and all peace officers of the State of Texas; which application shall be in writing and accompanied by a certificate or letter signed by the officer making such application, stating that the information applied for is necessary in the due administration of the laws, and not for the purpose of assisting a private citizen in carrying on his personal interests or in maliciously or uselessly harassing, degrading or humiliating any person or persons.

Sec. 8. The Bureau of Criminal Identification and Investigation shall be located in Austin, and shall not be placed in connection with any State penal institution, nor shall any person convicted of a felony be employed therein. Suitable rooms or building shall be provided by the Superintendent of State Building and Grounds, or by such person or persons who have control of said buildings.

Sec. 9. In this Bureau may be used the following systems of identification: Henry System of Finger-prints with modern extensions; Modus-Operandi; Single-print; Classified handwriting and any system that may be adopted by law in the various penal institutions in the State. It shall be the duty of said Adjutant General to keep on file in the office of the Bureau a record consisting of duplicates of all measurements, processes, operations, signalletic cards, plates, photographs, outline pictures, finger-prints and descriptions of all persons confined in any work house, jail, city prison, reformatory, penitentiary, or other places of detention of persons for the violation of the laws of this State, as far as possible.

Sec. 10. The Adjutant General shall have prepared standard eight by eight inch impression cards upon which finger-prints may be made in accordance with the Henry System. Such sheets may be furnished to each sheriff, chief of police, marshal, or other peace officer of the State of Texas and to the person in charge of every jail, work house, reformatory, or other place of detention for violation of the laws within the State of Texas.

Sec. 11. It is hereby made the duty of the several sheriffs of the State of Texas, the chiefs of police of incorporated cities therein, the city marshals, and all other peace officers to furnish to the said bureau daily copies of finger-prints and descriptions on standard eight by eight inch cards of all such persons arrested by them who, in the best judgment of such officers, are persons wanted for crimes or are fugitives from justice, or of all such persons in whose possession at the time of arrest are found goods or property reasonably believed by such officers to have been stolen by them or of all such persons in whose possession

are found burglary tools or burglar keys, or who have in their possession high power explosives reasonably believed to be used for unlawful purposes or who are in the possession of any infernal machine, bombs, or other contrivance in whole or in part and reasonably believed by said officers to be used for unlawful purposes or of all persons who unlawfully carry concealed fire arms or other deadly weapons and reasonably believe to be carried for unlawful purposes of who have in their possession inks, dyes, papers or other articles necessary in the making of counterfeit bank notes or in the alteration of bank notes; or dies, moulds or other articles necessary in the making of counterfeit money and reasonably believed to be used by them for unlawful purposes.

This section is not intended to include violators of city or county ordinances or of persons arrested for other trifling offenses.

Sec. 12. It is hereby also made the duty of the warden or person in charge of each jail, work house, reformatory, penitentiary, or other place of detention of violators of the laws within the State of Texas, to furnish to the said Bureau daily on standard eight by eight inch cards finger-prints and description of all such persons received therein as prisoners together with all available data concerning offense and conviction of such persons. Said warden or other person in charge of such jail, work house, reformatory, penitentiary, or other place for detention for violators of the law within the State of Texas, shall, upon the expiration of the sentence of any prisoner or upon his parole, pardon or escape, notify the State Bureau of Criminal Identification and Investigation without undue delay.

Disobedience of any provision of this Act on the part of any of the various officers mentioned herein shall be deemed contempt of said Act and misfeasance in office.

Sec. 13. The said Bureau shall prepare and issue all circulars for escaped prisoners and parole violators from any of the State Penal Institutions, placing thereon the finger-prints and photograph if obtainable, together with the description and advertisement of such reward as may be offered according to law for the

apprehension of said escaped convict or parole violator and his delivery to an authorized agent of said penal institutions. These circulars to be sent to the various peace officers of the State and Federal and State Bureaus of Criminal Identification and to all large cities or other place where, in the judgment of the head of the Bureau, such fugitive may be apprehended.

Sec. 14. In order to assist in recovery of lost and stolen property and in the arrest of and prosecution of criminals, it is hereby made the duty of the Adjutant General to keep a complete record of all reports filed with the said Bureau of all personal property bearing a number, name, or initial, which has been reported lost, stolen, found, pledged, or pawned in any city or county of the State of Texas.

The said Bureau shall keep a record of all persons reported to them as arrested for violating the laws of the State of Texas, showing offense committed, race, color and sex, and shall prepare annually and bi-annually a complete report showing the work accomplished by the Bureau and the cost of operation. The bi-annual report shall be in printed form similar to forms used by other State Departments, and copies of same shall be furnished to the Governor, Board of Control, members of the Legislature, all officers contributing records to the Bureau and such other institutions as are interested.

Sec. 15. The said advisory board of the State Bureau of Criminal Investigation shall serve without compensation provided, however, that they shall receive their necessary traveling and maintenance expenses while attending meetings of the board. The salaries of all employees shall be fixed by the Adjutant General, State of Texas.

Sec. 16. The State Comptroller is hereby directed to draw warrants in favor of the said Bureau at such times and in such amounts as shall be approved by said Adjutant General, State of Texas.

Committee Room,

Austin, Texas, Feb. 19, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

S. B. No. 296, A bill to be entitled "An Act requiring school authorities in cities having a population of five thousand inhabitants and over to provide sufficient and adequate protection against fire or panic in school buildings under the management and control of such school authorities; defining the term "adequate and sufficient fire protection;" providing for the making of sworn reports by the chief of the fire department or fire marshal or other officer or officers exercising like or similar powers and providing for the duty of the mayor or board of commissioners or other governing authorities and city attorney, in relation thereto, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass, but that the attached committee substitute do pass.

LOVE, Chairman.

Committee substitute for S. B. No. 296.

By Senator Love.

A BILL

To Be Entitled

An Act amending Title 63 of the Revised Statutes of 1925 by adding thereto a new paragraph to be known as Article 3972-a, exempting from the provisions of said Title 63 schools and other public building of fireproof construction as defined in this Act, provided said buildings are not more than four stories in height and have stairways at least forty-four inches in width so arranged that no floor area over six thousand square feet on any floor is without such stairway; and defining a building of fireproof construction within the meaning of this Act, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Title 63 of the Revised Statutes of 1925 of the State of Texas be amended by adding thereto a new article to be known as Article 3972-a, which shall read as follows:

Article 3972-a. The provisions of this Title shall not apply to school buildings of fireproof construction as hereinafter defined provided such buildings are not used or intended to

be used for sleeping purposes and are not more than four stories in height and have stairways each not less than forty-four inches in width which terminate at exits equipped with outward opening doors provided with anti-panic hardware in such manner that the space between the termination of each stair and its exit is entirely unobstructed and is not more than thirty-five feet in length, and which stairways are so arranged that no floor area of over six thousand square feet on any floor is without such a stairway and that no floor of more than three thousand square feet is without at least two stairways. A building is of fireproof construction within the meaning of this Article provided:

(a) The walls, floors, stairs, structural members, and all other parts of such building (except finish floors and their sleepers and creeds, doors, roofs, roof joists and rafters, windows and trim) are of brick, stone, iron or steel, concrete, Portland cement, or equally fire-resisting materials, or a combination thereof; and

(b) Such building has no exterior windows, doors or trim of combustible material in any wall which is closer than thirty feet in distance from any structure unless the face of such structure opposite such wall is itself of a material equal in fire-resisting qualities to those enumerated in the preceding sub-paragraph, and which wall is without openings of any character; and

(c) Such building is equipped with a central heating system and has its boiler-room separated from the remainder of the building by a wall or walls not less than eight inches in thickness built of brick, concrete or equally fire-resisting materials, the doors of which are protected by standard fire-doors equipped with a fusible link and self-closing hardware, such fire-doors, link, and hardware bearing the label showing approval by the National Board of Fire Underwriters.

Sec. 2. The fact that the existing fire-escape law makes no provision for exempting schools and other public buildings of fireproof construction and with adequate stairs and exits, is causing in many cities a useless expenditure of public funds, which creates an emergency and an im-

perative public necessity requiring the suspension of the constitutional rule requiring bills to be read on three several days, and such rule is hereby suspended and this Act shall take effect from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, Feb. 21, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

S. B. No. 408, A bill to be entitled "An Act regulating the slaughter and sale of the meat of animals for market and providing that every person engaged in the occupation of a butcher or slaughterer of cattle in this State, shall file a bond to be approved by the county judge of the county in which he desires to carry on such business; setting out the terms of said bond and providing penalties for violation thereof; and repealing Articles 1447, 1449 and and 1450, Title 17, Chapter 11 of the Penal Code of the State of Texas adopted in 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PARR, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 418, A bill to be entitled "An Act to authorize every person, firm, corporation, limited partnership, joint stock association operating or constructing aerial or other railways and smelters to acquire rights-of-way condemnation, declaring same to be common carriers, placing them under the jurisdiction of the Railroad Commission, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.